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August 2, 2015

VIA ECF

Honorable Laura Taylor Swain
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: **LP Funding, LLC v. Tantech Holdings, Ltd., No. 15 Civ. 4081 (LTS) (KNF)**

Dear Judge Swain:

We submit this letter on behalf of defendant Tantech Holdings, Ltd. ("Tantech") in further support of its letter motion for an extension of time to respond to the complaint from September 4, 2015 to October 2, 2015. In response to Tantech's July 29, 2015 letter requesting a 30-day extension, the Court extended the time from September 1, 2015 until September 4, 2015. For the additional reasons set forth below, we request that Your Honor extend Tantech's time to respond until October 2, 2015.

First, Tantech has articulated significant, specific prejudice that would result without the extension. In contrast, plaintiff has articulated no prejudice resulting from the requested extension. As noted, counsel require additional time to discuss the case with our client, which is based in China, and to gather and familiarize ourselves with the facts. We also have longstanding, pre-paid family vacations in the month of August and the first week of September.

Second, while plaintiff has submitted a letter opposing the extension on the ground that Tantech's counsel executed a waiver of service, we did not execute the waiver. Tantech's corporate counsel -- a lawyer from a different firm in a different state whom we met less than two weeks ago -- executed the waiver. As noted, we only recently were retained.

Third, on July 29, 2015, plaintiff's counsel emailed us for the first time and forwarded the Court's June 15, 2015 Initial Pretrial Conference Order. Within an hour of our receipt, we responded to counsel and requested -- as a matter of professional courtesy at the beginning of a case -- an extension of Tantech's time to response to the complaint. Counsel refused.

For these additional reasons, we respectfully request that the Court extend Tantech's time to respond to the complaint until October 2, 2015.

Respectfully submitted,

/s/Harry H. Rimm
Harry H. Rimm

cc: All Counsel of Record (Via ECF)